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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013 - 536*

13 **KRISTINA LYNA WOLFE, AKA**  
14 **KRISTINA LYNN WOLFE, AKA**  
15 **KRISTINA LANHAM**  
580 Riverloop, Apt. 1  
Eugene, Oregon 97404

**A C C U S A T I O N**

16 **Registered Nurse License No. 712463**

Respondent.

17  
18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive  
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about September 13, 2007, the Board issued Registered Nurse License  
24 Number 712463 to Kristina Lyna Wolfe, also known as Kristina Lynn Wolfe, and Kristina  
25 Lanham ("Respondent"). The Registered Nurse License expired on July 31, 2011, and has not  
26 been renewed.

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1 **JURISDICTION**

2 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
3 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
4 license, for any reason provided in Article 3 (commencing with Code section 2750) of the  
5 Nursing Practice Act.

6 4. Code section 118, subdivision (b), provides, in pertinent part, that the expiration of a  
7 license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the  
8 period within which the license may be renewed, restored, reissued, or reinstated.

9 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
10 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
11 to render a decision imposing discipline on the license.

12 **STATUTORY PROVISIONS**

13 6. Code section 2761 states, in pertinent part:

14 The board may take disciplinary action against a certified or licensed nurse or  
15 deny an application for a certificate or license for any of the following:

16 (a) Unprofessional conduct, which includes, but is not limited to, the  
following:

17 (4) Denial of licensure, revocation, suspension, restriction, or any other  
18 disciplinary action against a health care professional license or certificate by another  
19 state or territory of the United States, by any other government agency, or by another  
California health care professional licensing board. A certified copy of the decision  
or judgment shall be conclusive evidence of that action.

20 **COST RECOVERY**

21 7. Code section 125.3 provides, in pertinent part, that the Board may request the  
22 administrative law judge to direct a licensee found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case.

25 **CAUSE FOR DISCIPLINE**

26 **(Out-of-State Discipline)**

27 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),  
28 on the grounds of unprofessional conduct, in that on or about August 24, 2011, the Oregon State

1 Board of Nursing, in a disciplinary action entitled *In the Matter of Kristina Lynn Wolfe*,  
2 *RN License No. 091000557RN*, Case No. 11-03286, accepted the voluntary surrender of  
3 Respondent's Registered Nurse License in a *Final Order* approving the *Stipulation for Voluntary*  
4 *Surrender of Registered Nurse License*. Said *Final Order* and *Stipulation for Voluntary Surrender*  
5 *of Registered Nurse License* are attached hereto as **Exhibit A** and incorporated herein by  
6 reference. The basis of said discipline includes, but is not limited to, Respondent's termination  
7 from her employment as a registered nurse at the Oregon Health and Sciences University Hospital  
8 on or about August 6, 2010, for suspicion of narcotics diversion. Specifically, Respondent  
9 withdrew narcotics from that hospital's Pyxis system at more than twice the volume of any other  
10 nurse working in the hospital's PACU (Post Anesthesia Care Unit), and removed from the Pyxis  
11 system the same three narcotics for every patient well ahead of the arrival of those patients from  
12 the operating room and regardless of any physicians' orders. Respondent was subsequently  
13 diagnosed as having depression and opioid type dependence. On or about March 23, 2011,  
14 Respondent was placed on probation with the Oregon State Board of Nursing, the terms of which  
15 she violated on or about July 21, 2011, by testing positive for controlled substances.

#### 16 PRAYER

17 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
18 and that following the hearing, the Board of Registered Nursing issue a decision:

19 1. Revoking or suspending Registered Nurse License Number 712463, issued to  
20 Kristina Lyna Wolfe, also known as Kristina Lynn Wolfe, and Kristina Lanham;

21 2. Ordering Kristina Lyna Wolfe, also known as Kristina Lynn Wolfe, and Kristina  
22 Lanham, to pay the Board of Registered Nursing the reasonable costs of the investigation and  
23 enforcement of this case, pursuant to Code section 125.3; and,

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3. Taking such other and further action as deemed necessary and proper.

DATED: DECEMBER 27, 2012

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., R.N.  
Executive Officer  
Board of Registered Nursing  
State of California  
Complainant

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**EXHIBIT A**

*Final Order and Stipulation for Voluntary Surrender of Registered Nurse License  
In the Matter of Kristina Lynn Wolfe, RN License No. 091000557RN*

*Case No. 11-03286*

Oregon State Board of Nursing

**BEFORE THE BOARD OF NURSING  
OF THE STATE OF OREGON**

In the Matter of	)	FINAL ORDER
Kristina Lynn Wolfe, RN	)	
	)	
	)	
License No: 091000557RN	)	Case No. 11-03286

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The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, certifying, regulating and disciplining certain health care providers, including nursing assistants, in the State of Oregon. Kristina Lynn Wolfe (Licensee) is a Registered Nurse in the State of Oregon.


This Matter was considered by the Board on August 24, 2011. Licensee did not appear personally. The issue for the Board was whether to approve the Stipulation for Voluntary Surrender of the Registered Nurse License signed by Licensee on August 20, 2011, and so dispense with this Matter pursuant to ORS 183.417(3).

Upon review of the Stipulation and the agency file in this Matter, the Board finds that reasonable factual and legal grounds exist to support approval of the Stipulation. It is hereby

**ORDERED** that the Stipulation signed by Licensee on August 20, 2011 be approved and by this reference incorporated herein, and it is further

**ORDERED** that the Board accept the Voluntary Surrender of the Registered Nurse license of Kristina Lynn Wolfe and the Stipulation for Voluntary Surrender be adopted.

DATED this 24 day of August 2011.

  
Patricia Markesino, RN  
Board President

**BEFORE THE BOARD OF NURSING  
OF THE STATE OF OREGON**

In the Matter of	)	STIPULATION FOR
	)	VOLUNTARY SURRENDER
Kristina Lynn Wolfe, RN	)	OF REGISTERED NURSE
	)	LICENSE
	)	
License No. 091000557RN	)	Case No. 11-03286
	)	

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The Oregon State Board of Nursing (Board) is the state agency responsible for the licensure and regulation of registered nurses in the state of Oregon.

Kristina Lynn Wolfe (Licensee) is a registered nurse in Oregon. Licensee obtained her Associate's Degree in Nursing from Linn Benton Community College in 1991. She received her registered nurse license by examination in Oregon on August 20, 1991.

Licensee came to the Board's attention when it was reported that Oregon Health Sciences University (OHSU) had terminated her contract on August 6, 2010 for suspicion of narcotics diversion. An audit of OHSU's narcotics records revealed Licensee had withdrawn narcotics from the hospital's Pyxis system at more than twice the volume of any other nurse working in on that unit. Licensee removed from Pyxis the same three narcotics for every patient, well ahead of the patients' arrival from the operating room and regardless of the physicians' orders.

Licensee agreed to complete a Chemical Dependency evaluation as requested by Board staff. Licensee was assigned the diagnoses of Depression and Opioid Dependence. Licensee began outpatient treatment on November 30, 2010.

On March 23, 2011, the Board approved the Stipulation for Probation signed by the Licensee and was placed on Probation for a four year period.

On June 14, 2011, Board staff received a complaint regarding Licensee. According to the complaint, Licensee was witnessed inhaling a white substance.

On July 20, 2011, Licensee was informed by the probation coordinator that she needed to submit a urine sample. She submitted to a urine drug test on July 21, 2011. The results were positive for controlled substances. Licensee plans to have the sample retested.

The above conduct constitutes a violation of the provisions of ORS 678.111 (1) (e) and OAR 851-045-0070 (2)(i), (5) (d), and (7) (d) which provides as follows:

**ORS 678.111 Causes for denial, revocation, suspension, of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:**

Kristina Lynn Wolfe, RN – Voluntary SurrenderPage 1 of 3

(1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(e) Impairment as defined in ORS 676.303

**Conduct Derogatory to the Standards of Nursing Defined OAR 851-045-0070**

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(2) Conduct related to other federal or state statute/rule violations:

(i) Possessing, obtaining, attempting to obtain, furnishing, or administering prescription or controlled drugs to any person, including self, except as directed by a person authorized by law to prescribe drugs.

(5) Conduct related to impaired function:

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

(7) Conduct related to the licensee's relationship with the Board:

(d) Violating the terms and conditions of a Board order.

Licensee admits to the above violations and wishes to cooperate with the Board in resolving the present disciplinary problem. She has elected to voluntarily surrender her Registered Nursing license.

**THEREFORE**, the following will be proposed to the Oregon State Board of Nursing and is agreed to by the licensee:

**That the Voluntary Surrender of the Registered Nurse license of Kristina Lynn Wolfe be accepted. If after a minimum of three years, she wishes to reinstate her Registered Nurse license, Ms. Wolfe may appear before the Board to request reinstatement of her license as a Registered Nurse. She shall provide evidence that she is safe to practice nursing. Should the Board reinstate the Registered Nurse license of Ms. Wolfe, she will be subject to whatever terms and conditions the Board may impose.**

Licensee understands that this Stipulation will be submitted to the Board of Nursing for their



approval and is subject to the Board's confirmation. Licensee understands that if approved, the Board will issue a Final Order adopting the Stipulation.

Licensee understands that this Stipulation will become a public record at such time as the Board issues an Order adopting it.

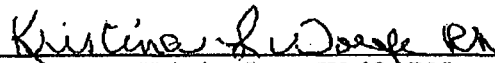
Licensee understands that by signing this Stipulated Agreement she waives any and all rights to an administrative hearing under ORS 183.310 to 183.550.

Licensee has read the Stipulation, understands the Stipulation completely, and freely signs the Stipulation.


Licensee agrees that she will not practice as a Registered Nurse from the date of her signature on this Stipulation.

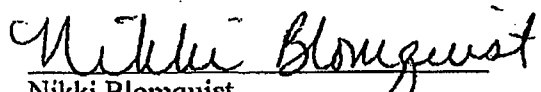
Licensee, by her signature below, attests that she has read and understood this Stipulation for Voluntary Surrender, and declares that no promises, representations, duress, or coercion have been used to induce her to sign it.

Dated this 20 day of August, 2011.

  
Kristina Lynn Wolfe, RN

FOR THE BOARD OF NURSING OF THE STATE OF OREGON

  
Chris Montenegro  
Compliance Manager  
Investigations Department

  
Nikki Blomquist  
Probation Coordinator  
Investigations Department



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**BEFORE THE BOARD OF NURSING  
OF THE STATE OF OREGON**

In the Matter of

Kristina Lynn Wolfe, RN  
License No. 091000557RN

STIPULATION FOR PROBATION

Case No. 11-079

The Oregon State Board of Nursing (Board) is the state agency responsible for the licensure and regulation of registered nurses in the state of Oregon.

Kristina Lynn Wolfe (Licensee) is a registered nurse in Oregon. Licensee obtained her Associate's Degree in Nursing from Linn Benton Community College in 1991. She received her registered nurse license by examination in Oregon on August 20, 1991. At the time of the complaint, Licensee was working at Oregon Health Sciences University Hospital (OHSU) as an employee of Favorite Healthcare Staffing. Licensee was assigned to the Post-Anesthesia Care Unit (PACU).

Licensee came to the Board's attention when it was reported that OHSU had terminated her contract on August 6, 2010 for suspicion of narcotics diversion. An audit of OHSU's narcotics records revealed Licensee had withdrawn narcotics from the hospital's Pyxis system at more than twice the volume of any other nurse working in the PACU. Licensee removed from Pyxis the same three narcotics for every patient, well ahead of the patients' arrival from the operating room and regardless of the physicians' orders. Licensee failed to accurately document in the medical records the narcotics that she administered to patients.

On August 6, 2010, Favorite Healthcare Staffing asked Licensee to report to a laboratory that day for a "for cause" urine drug screen, per their policy. Licensee failed to report that day. Licensee did not report for the urine drug screen until August 10, 2010. Favorite Healthcare Staffing terminated Licensee's employment.

Licensee agreed to complete a Chemical Dependency evaluation as requested by Board staff. Licensee was assigned the diagnoses of Depression and Opioid Type Dependence, continuous. Licensee began outpatient treatment on November 30, 2010.

The above conduct constitutes a violation of the provisions of ORS 678.111 (1) (f), OAR 851-045-0040(3)(a); 0070(3)(a),(4)(b),(5)(d) which provides as follows:

**ORS 678.111**

(1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the Board may impose or may be issued a limited license or may be reprimanded or censured by the Board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

**OAR 851-045-0040 Scope of Practice Standards for All Licensed Nurses**

(3) Standards related to the licensed nurse's responsibilities for ethics, including professional accountability and competence. The licensed nurse:

(a) Has knowledge of the statutes and regulations governing nursing, and practices within the legal boundaries of licensed nursing practice.

**OAR 851-045-0070**

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(3) Conduct related to communication:

(a) Inaccurate recordkeeping in client or agency records.

(4) Conduct related to achieving and maintaining clinical competency:

(b) Failing to conform to the essential standards of acceptable and prevailing nursing practice. Actual injury need not be established.

(5) Conduct related to impaired function:

(d) Use of drugs, alcohol or mind-altering substances to an extent or in a manner dangerous or injurious to the licensee or others or to an extent that such use impairs the ability to conduct safely the practice for which the licensee is licensed.

Licensee wishes to cooperate with the Board in resolving the present disciplinary problems. Therefore, the following will be proposed to the Board and is agreed to by Licensee:

That Kristina Lynn Wolfe will be monitored by the Oregon State Board of Nursing from date of signature on the Stipulated Agreement. That Licensee, in her practice as a registered nurse, will be placed on probation for a four (4) year (48 months) time period. Probation will be contingent on Licensee's practice at the level of a registered nurse. Licensee must practice a minimum of 80 hours each month of probation (unless otherwise approved by the probation monitor) in a setting where she is able to exercise the full extent of scope of duties in order to demonstrate whether or not she is competent.

**Licenses must comply with the following terms and conditions of probation:**

1. She shall not violate the Nurse Practice Act (ORS 678) or the rules adopted thereunder.
2. She shall notify the Board, in writing, prior to any change of address or employment setting, during the probation period.
3. She will not look for, accept, or begin a new RN position without the approval of the Board. This includes changes of the employer itself or changes within the facility or institution.
4. She shall notify the Board of any citations, arrests, or convictions for any offense, whether felony, misdemeanor, violation, or citation within seven (7) days of the occurrence.
5. She shall present herself, in person, to designated Board staff for interviews on a monthly basis during the probationary period. Frequency of contact may be reviewed and may be revised periodically at the discretion of Board staff. A telephone interview may be substituted for a personal interview at the discretion of Board staff.
6. She shall inform current and prospective employers of the probationary status of her license, the reasons for her probation, and terms and conditions of probation. If there is a Nurse Executive, that person is to be informed of Licensee's probationary status.
7. The Nurse Executive will receive copies of the Stipulation for Probation and Board Order when Licensee is employed.
8. Licensee shall work under the direct supervision of a licensed nurse. She shall be employed in a setting where her Nurse Executive or comparable person agrees to submit written evaluations of work performance (on forms provided by the Board) at least every three (3) months during the probationary period. Between regular reporting periods, the Nurse Executive or comparable person, shall inform the Board of any instance of Licensee's non-compliance with the terms and conditions of this Stipulation for Probation, or of any other concern there may be regarding Licensee's work-related conduct or personal behavior that may affect her ability to practice.
9. She shall not be employed by a temporary staffing agency during the probationary period unless that agency can provide written evidence to the Board that Licensee will not be assigned to multiple facilities.
10. She shall have sixty (60) months from Board acceptance of this Stipulation to complete probation.

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11. She shall participate in the Board's random urine program. Failure to comply with the random urine program will result in an immediate removal from nursing practice. She will obtain a re-evaluation by a Board approved chemical dependence evaluator. The presence of unauthorized substances may be considered a violation of the terms and conditions of this stipulation. She understands that she will be financially responsible for the costs related to this testing.
12. She shall abstain from the use of intoxicating, mind altering, or potentially addictive drugs, both over the counter and prescription drugs and alcohol during the period of probation.
13. She may take medication for a documented medical condition, provided that she obtains such medication only by a legal prescription written by a person authorized by law to write such a prescription. She will notify the Board within 72 hours in the event she is prescribed such medication, and shall authorize the prescribing person to communicate with the Board about her medical condition. She shall produce the medical records pertaining to the medical condition and medication use.
14. She will notify any health care providers of the nature of her chemical dependence diagnosis, to ensure that her health history is complete, before receiving any treatment, including medical and dental treatment. She will provide a copy of this Stipulation to her provider. She further agrees to provide the Board with the names of her health care providers, to sign releases of information with the providers, and produce to the Board documentation of the health care provided (medical records).
15. She shall submit to tests to determine the presence of unauthorized substances, immediately upon request by Board staff or her employer. The presence of unauthorized substances may be considered a violation of terms and conditions of this stipulation. She shall sign any release of information necessary to insure the Board will receive the results of such testing.
16. She shall remove herself from practice upon the occurrence of a relapse or at the request of the probation coordinator because of relapse or relapse behavior. Nursing practice may resume when approved by the probation coordinator, in consultation with her employer.
17. Licensee is financially responsible for any costs incurred as a result of compliance with the terms and conditions of the stipulation.
18. Licensee shall cooperate fully with the Board in the supervision and investigation of her compliance with the terms and conditions of this Stipulation.

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Licensee understands that, in the event she engages in future conduct resulting in violations of law, or violations of the terms and conditions of this Stipulation for Probation, the Board may take further disciplinary action against her, up to and including revocation of her registered nurse license.

Licensee understands that this Stipulation for Probation will be submitted to the Board for approval, and that it is subject to the Board's confirmation.

Licensee understands that, by entering into this Stipulation for Probation, she waives the right to an administrative hearing under ORS 183.310 to 183.550.

Licensee understands that this Stipulation for Probation is a public record.

Licensee, by her signature below, attests that she has read and understood this Stipulation for Probation and agrees to abide by each and every one of its terms and conditions. Licensee further attests that no promises, representations, duress, or coercion have been used to induce her to sign this Stipulation for Probation.

Dated this 4 day of March, 2011.

Kristina Wolfe RN  
Kristina Wolfe, RN

**FOR THE OREGON STATE BOARD OF NURSING**

Marilyn L. Hudson  
Marilyn L. Hudson RN, MSN, CNS, FRE  
Investigations Manager  
Investigations Department

Tammy Palumbo RN  
Tammy Palumbo RN, BSN  
Nurse Investigator  
Investigations Department